

U.S. Eastern District

FILED

FEB 21 2017

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

State of Missouri,

Plaintiff,

vs.

Jonathan D. Smith et al.,

Defendant.

Judicial Dist.

Court File # Circuit Court

1222 - CR00955

Eastern Dist. Ct. 4:16CV01743JAR

10-4312 8th Circuit Court of Appeal

Post Convict. Relief 1322 CC00095

Post Convict. Relief Appeal 100610

Eastern Dist. 1983 Civil Suit 2:15CV00032

Mo. Supreme Court 94021

U.S. Supreme Ct. 15-7753

8th Circuit Court of Appeal 15-2388

3-3-1998 97CR04910 Smith et al. v. State

Case Type: Civil / Criminal

4:17CV778 HEA

Notice of Hearing and Petition for
Expungement (Sealed Records)
Missouri Statutes

NOTICE OF HEARING

NOTICE TO LAW ENFORCEMENT / Government Agency /
Prosecutor: Any objection to expungement in this
case shall be filed with the court as soon as
possible, and within 60 days. This matter is
scheduled for hearing on _____
date at _____ time; at
location.

PETITION FOR EXPUNGEMENT

1. I state under oath that I am petitioning the court for expungement (sealing) of a criminal Record.

2. My full name, and all other legal file along with imposters use of names
Jonathan Smith vs.

3. My date of birth is 02/03/1979

4. The following are all of the addresses I have lived at since the date of the offense for which I am seeking expungement:

3529 Louisiana St. St. Louis, Mo. 63118

St. Comm. Release Ctr. 1621 North 1st Street St. Louis, Mo.

1012 Langford ~~DRIVE~~ DRIVE, Jennings, Mo. 63136

Homeless

5. I'm seeking expungement because I am innocent been wrongfully convicted through the administration of justice, tampering with my Court Exhibits during pending cases and police false reports the courts have been lying my file as I have filed A Actual innocent motion in Eastern District Ct. the law says it must be granted as to innocent and certain jobs I go to apply for I have been turned down do to company.

6. My Records includes all charges, convictions, imposition of sentences and pending actions for misdemeanors, gross misdemeanors of felonies in this state, and another state that's not my case, federal court, whether the conviction occurred before or after the offense for which Expunged is consist of:

- (a) Circuit Court 1222-CR00955, Gun, Drug, Misdemeanor Scale, 2-18-12 Conviction while in prison no until Decision came from court I completed discharged from Halfway St.C.R.C. 2-17-17 5 years
- (B) Maplewood police Department 2nd Degree Murder 15 years County Court armed Criminal action
- (C) MODL 573-751-4000 License # NO X22-5165003 Operator Status Suspended they in jefferson city claim that in June 25, 1995 & December 26, 1995 that had tickets wasn't paid for in 1997 I went to prison and a time served was filed issued in court by prison caseworker
- (D) Court Date 17th day of January 2017 - 16018/430-3 City of St. Louis v. Jonathan D. Smithel traffic tickets

7. I have no criminal records other than listed at #6, in this state or else where that I'm aware except misdemeanor traffic ~~that~~ that was actually sentenced on I rolled joint that's Wks in ash tray of car do to it was my vehicle I got the case.

8.211 prior requests for expungement, pardon or sealing of a criminal record, whether for this offense or for any other offense, whether granted or not, that I have made include:

211 cases are listed and this 1st time filing for expungement of file in court of records do to pardon is my next phase for attorney that just in regards to innocent and wrongfully convicted.

9. I qualify for an expungement because:
I have been discharged from St. Louis Community Release Center 2-17-17 on Drugs, Guns, Misdemeanor and in court they asked that file be closed regardless on there own. Therefore order to seal file / Expunging does comply.

I was placed in a MSI work house on Hall Street 1200 on tickets for a month that should have been resolved but as a tactic police have tried to keep me in the system with judges & prosecutors.

In 1997-1998 I was certified as adult with no mental evaluation done until I got to prison and then found innocent case on murder while in prison and on parole wrongfully convicted as a juvenile. Was never given transcript of plea and the counts was changed from what they originally was amended so law say if not good for 1st not good for second.

Ordering Sealing & Expunging of Records

D. & ~~criminal~~ criminal / civil matter in favor

I successfully completed St. L. C. R. C. program
I paid intervention fees to phase up I had
multiple of jobs DTZ, Cushman & Wakefield, Rainett
Cannoon Commercial Cleaning, Magnus Const., JUNK
Flooring, Old Spag. Factory, Randstad, Grunkill
Street Food, Produce Row United, Peologistic - Vignola

I have not caught a case since 2-17-17

Discharge date. I'm not affiliated with slavery
minority welfare assistant as suspect or SST if
it is a ward of state and it is through obtained
mental health report from prison & Hopewell
as insomnia which is a injury. By case laws tickets
I'm ^{not} good for just like weed is on ballot in Jefferson
City mo. as A Amendment to legalize it as medical
treatment. I was given a case number from
Pekneyville, IL. not mines already in prison Valerie
Mahone done made a statement verifying not my
case while was already was confined. And the
prison called court and spoke to Clerk & sister
in Eastern Dist. and let her know it wasn't me in
there system. Now I'm being held accountable for
a case not mines that Clerk went correct.

Jan. 2017 I have 2 years to file my pardon
on Actual Innocent this motion is a form of innocent

11. My issue to U.S. Court is same from date motion
filed in 8th Circuit motion of stay of issues mandate

prosecutors withdrew from case. Courts are in violation for Mo. Revd. Statutes 610.130 - 610.140 Expungement of Criminal They had the right to do this before though they said closed case. 610.140 applies in its entirety, and I qualify for it.

12. I have took a multiple of prison program restorative justice, pay it forward, Breaking Barriers, Alternative to Violence, Compost Biology, educational classes so as a form of readjusting back to life and reality in society I have rehabilitated worked done positive things ~~the entire time of my incarceration~~ ~~the entire time of my incarceration~~ Even a commission person spoke good of me on court records.

13. To expunge by detail all offense in all jurisdiction while courts then heard my case in wrong jurisdiction All offense St. Louis City and County I'm the victim in cases

There is a temporary restrain order order 2150 I don't make victims. I even tried to get involved with community involvement at Better Family Life on page and introduced sisters to it at work. I'm focused on construction, diesel mechanic, government etc.

There is no conviction for Pickneyville 12 they tried to give me a case nothing with my DNA is on it.

14. That by law per statutes and case laws that agency's jurisdiction while even on parole was innocent in 2012 and that a order be addressed to proper authorities on expungement

15. Please explain mitigating circumstance or aggravated factors. probable cause is false prosecutor attorneys in state withdrew and St. Louis case is not good though past cases received reversed from 8th Circuit to Eastern Dist and settlement case cited in motion. I'm not a threat to society nor do I disturb the peace with standers of public opinion that court people say and do against me with people in society. My level of building a better is not like everybody I see through my own eyes without haters.

I declare under penalty of perjury that everything I have stated in this document is true and correct As to my innocent I'm not a drug dealer im not off into gay flag type stuff that people slander nor any of those other things and I'm not flusky to move no drugs either nor a thief. I worked hard for what I got and struggled for every penny of it by my self.

2-19-17

Jonathan D. Smith-Ed
10612 Langford Drive
Jennings, Mo. 63136